UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

C.A. No. 04-12135-NG

ROBERT WADE, Petitioner

v.

BERNARD F. BRADY, Acting Superintendent, MARTHA COAKLEY, Attorney General, and TIMOTHY J. CRUZ, District Attorney for Plymouth County Respondents

MOTION FOR SUMMARY JUDGMENT

Now comes the Petitioner, Robert Wade, and moves pursuant to Federal Rule of Civil Procedure 56 for summary judgment in the above-captioned matter. As grounds therefor, the Petitioner relies on the enclosed Memorandum in Support of Motion for **Summary Judgment.**

Respectfully submitted,

/s/ Janet Hetherwick Pumphrey Robert Wade, by his Attorney Janet Hetherwick Pumphrey 45 Walker Street Lenox, MA 01240 (413) 637-2777 BBO 556424

/s/ Barry Scheck Barry Scheck The Innocence Project Co-Director

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/s/ Craig M. Cooley Craig M. Cooley The Innocence Project Staff Attorney 100 Fifth Avenue, 3rd Floor New York, New York 10011 Tel. 212.364.5361 Illinois Bar #6282688